

REMARKS

Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claim Status

Newly-presented Claims 11 and 12 are now pending in the application, with Claim 11 being the only independent claim. Claims 1 through 10 have been cancelled. It is respectfully submitted that no new matter has been added.

Specification

The specification has been amended to improve its form. It is respectfully submitted that no new matter has been presented.

Abstract

The Office Action objects to the Abstract for including the word "means". The original Abstract has been deleted and a new Abstract has been added. The new Abstract does not include the word "means". Accordingly, the objection is moot and should be withdrawn.

Drawings

The Office Action objects to the drawings for failing to show "an electric accumulator and a driving motor", which are recited in original Claim 7, lines 2 through 4. Claim 7 has been

cancelled, and new Claims 11 and 12 do not include the recitations underlying the objection. Accordingly, the objections to the drawings are moot and should be withdrawn.

Claim Objections

Claim 3 is objected to for a minor informality. Claims 2 through 7, 9, and 10 are objected because of an informality in the preamble.

Response to Claim Objections

Claims 2 through 7, 9, and 10 *inter alia* have been cancelled. Accordingly, the objections are moot and should be withdrawn. In the newly-presented claims, the expression --developer supply container-- has been used in the preamble.

Claim Rejections

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Diehl (U.S. Patent No. 5,426,492).

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Diehl in view of Sugiyama (JP 2000-155459).

Claims 3 through 6, 8, and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Diehl in view of Tone et al. (JP 3116170).

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Diehl in view of Kasahara et al. '246 (U.S. Patent No. 5,960,246).

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Diehl in view of Kasahara et al. '941 (U.S. Patent No. 6,201,941).

The rationale underlying each of the rejections is succinctly set forth in the Office Action.

Response to Claim Rejections

Without conceding the propriety of the rejections and solely to advance prosecution, Claims 1 through 10 have been cancelled. Accordingly, the rejections are moot and further comment thereon is not necessary.

The following comments are provided for the Examiner's consideration of the newly-presented claims.

Independent Claim 11 recites a developer supply container detachably mountable to an image forming apparatus, the developer supply container including a container body having a developer containing portion configured and positioned to contain a developer; a discharge opening, provided in the container body, configured to permit discharging of the developer in the developer containing portion; a gas container storing a compressed gas; a plate-like member, disposed at a position between the container body and the gas container, and configured to move toward the discharge opening to discharge the developer in the developer containing portion through the discharge opening; a switch portion, operable from the image forming apparatus, configured and positioned to release the compressed gas from the gas container so that the plate-like member moves toward the discharge opening; and an urging portion configured and positioned to urge the switch portion to stop the release of the compressed gas from the gas container.

The newly-presented claims are particularly directed to the fifth embodiment of the invention. See Figure 11 and the related text in the specification.

Diehl discloses that toner is discharged from the toner container by pushing the pusher member 86 by a spring 94.

Sugiyama discloses that toner is discharged by pushing the bottom member 8 of the toner container toward the opening 9 of toner bottle 4. The bottom member 8 is pushed in by an actuator 6 provided in the image forming apparatus.

Tone discloses the toner cartridge 40 divided into a large chamber 43a and a small chamber 43b, wherein the small chamber 43b contains a small amount of the toner and a compressed gas. When the sealing member 46 is peeled off, the compression gas in the small chamber 43b is released, and the toner is discharged, and then all the toner in the large chamber 43a is discharged.

Kasahara '246 is cited against Claim 7 which has now been cancelled.

Kasahara '941 discloses a toner container 20 having an air pump 30 to send compressed air into the toner container to scatter and fluidize the toner for discharge via the toner outlet port.

None of the references discloses or suggests the feature of the plate like member actuated by the switch portion and urging portion defined in the claims.

Dependent Claims

Claim 12 is directly dependent from independent Claim 11 and is allowable by virtue of its dependency and in its own right for further defining the invention.

Conclusion

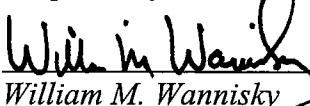
In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are allowable over the art of record, and that the application is in condition for allowance.

Favorable reconsideration and early passage to issue of the application are earnestly solicited.

It is believed that no fee is required for this Amendment. However, the Commissioner is hereby authorized to charge any fee which may be deemed necessary in connection with this paper to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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